

Your Honor,

My father, Phil Kenner is the best father in the world. Although every good son would say that, I truly mean it. He is one of the best role models, most intelligent, and best respected among his peers of anyone I have met in my 14 years on this planet. The man I am speaking of is a beloved family member, friend, business partner, coach, and mentor to hundreds of people, especially kids. All of these people have had a gaping hole in their life, yet to be filled, since the day that person was taken away from us. I just passed my third birthday without my dad, and there is nothing to celebrate while he is gone.

As far back as I can remember, when he wasn't spending time with family, my father did all he could to provide for us, and legally fight those who were trying to take from us. Every day taking legal battles, trying to take back what we deserved, while always making sure my sister and I had what we needed. Not only is he now gone, so is that security, our home, and our well-being. He is a valued, loved, and important person that can never be replaced.

I remember the day when I was 7 years old when my sister and I received a call from him in Mexico. He said he was sorry for not calling for a few days, telling us that the people who stole from us and his clients put him in a Mexico jail. When he came home a few days later, my sister and I begged him to stop fighting these people in case the next thing they did was worse. He promised us he would be more careful, but he could not just let people steal from us, his clients, and others that he cared about. That was over 6 years ago. He never stopped until the day he was arrested in 2013. Now that I am much older and can understand who and why he was fighting, I have nothing but admiration towards him, knowing what his enemies did to stop him from protecting the people he cared about.

Before my dad was arrested, he coached multiple youth hockey teams as far back as I can remember. All of the kids always flocked to him as their favorite coach, almost wishing they could do a dad trade with me. All of my precious memories of road trips and adventures that can no longer continue due to current circumstances are fading. My father has served nearly 3 years in Federal prison because of the people he was fighting against; I have not seen him the entire time. If you consider the ten years he has already dedicated and sacrificed everything in his life to fight for us and his clients, he is already well over any time he should serve for refusing to stop fighting for what is right, despite all of the threats he endured. Can you imagine being taken away from your family and the ones you love for not giving up your possessions to the people who threaten you? Imagine being robbed of your freedoms, rights, peace, privacy, and possessions; everything you have worked hard for your whole life, taken away from you in the blink of an eye. It not only wastes his time here on earth, but holds back everything he was doing for kids and pediatric cancer research funding. I have lost my day-to-day mentor during the most important time in my life. The same goes for my sister who is finishing high school next year. My father has been robbed of his children and us of him.

Your honor, I ask you to imagine, like my father, being stolen from for over ten years by business partners heavily connected to the FBI, still believing in our justice system, trying to prosecute those who committed the crimes. I know that if he could do it all over again, he would

still not take their bribes to go along with them. This is one of the main reasons I am proud to be his son and aspire to follow in his footsteps. On top of all this, while dealing with hundreds of people, my dad was working every day to raise money for charities, volunteering to coach kids sports, being a good role model, and spending as much time with my sister and I to always feel like a priority to him. This is was the life of a very important man who has been in front of you. He is a valued member of society that did great things for others every day without seeking praise for his actions. Now, my dad sits in Federal prison full of selfish people who don't care one bit for human beings. Constantly surrounded by gang members, murderers, rapists, and child molesters. I might only be 14 years old, but all of this doesn't add up. My father hasn't been able to see his kids for three years and only gets to talk to them on monitored phone lines for 30 minutes a month.

I hope you consider all of the above when sentencing my father. I am a young boy who not only needs his dad back, but our community needs the void he left behind three years ago filled again. I am blessed to have a dad I respect and aspire to be like when I grow up. Please see all of my father's efforts to protect the people around him and fight for what is right instead of taking the easy path. I cannot imagine many other people who would have fought this ten-year fight. Your honor, I just want you to return him to me.

Sincerely,

Blake Kenner

A handwritten signature in black ink that reads "Blake Kenner". The signature is written in a cursive, flowing style with a large, prominent 'B' and 'K'.

Dear Judge,

Sir, my name is Christopher Hawkins. I am writing about Phil Kenner. I worked in Hawaii from 2004 to 2006 for the Little Isle 4 Company. I worked in Cabo from 2006 to 2008 after we got the project funds from Lehman. John Kaiser asked me to go work there in 2006 so I could watch my new boss Ken Jowdy. Pk said it was a good idea. John needed me to relay information to him about the Cabo business because Ken owed us over 7 million dollars by then. I worked in Cabo until Kens people threatened me. I was caught telling Pk about Kens team plans to hurt Pk physically. There was another guy named Matt who was telling Pk other bad stuff Ken was doing to hurt the investors from other meetings I was not in. They fired and threatened him with lawsuits later too. Ken said constantly that the FBI was protecting him and the Lehman people I knew would give him any money he asked for. They wanted to set Pk up on Mexico drug and gun crimes. I know they did bad things to Pk in the jail after I was gone from the fake gun charges in Cabo. I learned it from some old friends I left behind in Cabo who called me. Ken said they would not have to repay our Hawaii group if they could blame Pk after getting him arrested in Mexico. That was their plan. Kens lawyer said they could take Pks ownership piece then without a fight.

I was the Hawaii Property manager when I worked over there. I worked every day with Chris Manfredi. He was our Chief Officer over there. I worked at the site with John also when he was there. John knew 100 percent of everything that went on just like Chris. Pk made sure I shared everything I did with them. John made almost all of the major decisions with the money and development plans. It was not Pk or Chris. It seemed like John was Chris boss telling him what to do.

Part of my job was to take the hard money people around the properties and the island while we were looking for loans. I did that for about 12 of them. I spoke to Tommy Constantine a bunch during this time. We called him TC. Because part of my job was to escort 4-5 hard money people from TC around the project before the Lehman guys gave us the money. I spent lots of time with Lehman people in 2005 before our first deal failed. They tried to rob us with a huge percentage loan after we already agreed on something totally different. John and Chris were so pissed after all the time we spent to do it. We all had to scramble with tons of other money people for a few months. And we thought we were going to lose the oceanfront land after about 500,000 dollars of fees for extending from the Lehman scam. It was very stressful for all of us. Even Pk was like he never slept that whole time which was less than normal for him. Ken sent the Lehman people back to us in 2006 to try and the fund property again. Pk wanted to move on from them because they screwed us already. But Ken said it would be good for the Mexico money and the same investor people also so Pk agreed. I don't think he liked it though. Pk wanted some other guys from Canada to be our partners. I met them from TC and showed them around the island then to do our deal.

Several of us got paid bonuses for our hard work when we got to do the Lehman deal. Chris got a huge bonus. John got all his moms money back and interest for them. John demanded all the money in the meetings with me and Pk when in Hawaii for his signoff to the deal. I know Pk was pissed but had no options or just cancel the deal for everyone. Pk even had to give his home and office and trucks to the partners as part of the deal. John and Chris told Pk they would stop the deal and screw everyone if they did not get their money. I knew it was wrong. So did Pk.

I met Bryan Berard in Hawaii during this work. Bryan and John asked me if I would move to Long Island after the deal closed to help them build a new project with Pk. John wanted to buy out Chris without him knowing when they caught Chris stealing money from the Hawaii project through the credit cards. Bryan agreed to buy him out and Pk was getting the money for us to build through a personal loan. We all arranged this deal before the Hawaii deal closed. All our meetings about it had to be away from Pk's home and office because we could not include Chris. I was happy to be there for them in NY because I lived there before.

Our plan changed when Ken cut off talking with Pk and John late in 2006. They were both too angry that he would not address the Hawaii loans. I went to Cabo to work there because they said they needed me to watch what was happening. I did right away. I told them that no work was going on in Mexico. The only time we saw Ken was when big trips Louis Freeh and baseball players and a ton of girls for them were around. I only saw the project manager maybe 5 days the whole year. He lived in California. Everyone trying to work there was always angry about it. Ken started having drug cartel people and people with guns around him whenever he was there. He had lots of security people for himself. It was really uncomfortable. Stuff was not right. I told John and Pk. There were a lot of rumors in that small town that he was letting the cartel people use his runway on the other property to transport drugs with his Mexico attorney. I knew his attorney Fernando Garcia because he would come to town during the trips with the baseball people and girls and Louis Freeh. We almost never saw Ken after those days for about a year and a half. I would only hear from him on our weekly conference calls at the office.

I was in the Cabo management meetings with the others each week. They were there or called in. No upper management people were ever there except Pk promoting the project with tours for real estate buyers. That was hard with no progress.

Ken and Fernando and Bill Najm talked about not paying the loans to PK on those calls. I told John and Pk all of this each time. They talked about spreading rumors about Pk being a gun dealer and a drug dealer. They said they would put a bad drug deal on Pk if they needed something to go very bad in Mexico for him. I passed all of this information on to John and Pk also until 2008 when Ken found out that I was telling Pk about their plans. I don't know how they found out. I have known Pk my whole life. I have never heard from anyone or personally seen Pk be around drugs or tolerate them. He definitely did not use them. These stories were so crazy that they said people would think Pk had a secret life. From the back story in Mexico it would let them claim Pk stole all of the investment money and that none of it got to Ken. It was too crazy.

Ken's people began to threaten me like Fernando. Pk called me one morning and told me that I needed to pack all of my stuff without telling anyone. Pk bought me a ticket on the next flight out of Cabo to Phoenix. When I landed in Arizona, Pk told me he spoke to a cousin of Ken's local muscle. They told Pk they were going to kill me in Mexico and blame it on a Pk drug deal at Pk's house where I was living sometime. I was safe and never went back there thanks to Pk.

I always helped Pk when he was in Hawaii with the company conference calls. We were six hours earlier than the east coast. I had to wake Pk up early with coffee and breakfast because he worked so many hours and was always tired. We had to start our days by four in the morning to get ready for the calls or talk to the New York money people. I was on 4 or 5 conference calls with

our investors in 2004 and in 2005 to discuss our loans to Ken. John Chris and me would also talk about the permitting stuff because it was slower than we wanted for selling land and getting money back for our investors. Lots of the investors were on the calls every time. Pks assistants Kristee and Steph arranged the calls and were on there with all of us.

I always thought from Johns words when we were together that he was most angry with Ken. Because John explained to the investors on our conference calls that he had a lot of meetings with Ken in ny. He said the meetings confirm there would be no problems with our loans before the group decided to do it. I remember Mike Peca asking a lot of questions about the loans on the calls. I am from Buffalo where Mike Peca was the Sabres captain. I am a big Sabres fan from when I was a kid. Bryan always told Peca and others on the call that he would make sure the loans were repaid. He told everyone that he was spending a lot of time in Mexico with Pk and would hold Ken responsible for the group.

I got back to the U.S. safe thanks to Pk in 2008. I worked with John in Arizona for about 4 or 5 months. John and Pk would talk about the Hawaii money at dinner that Ken avoided paying. They were pissed about the fake claims about forgeries and the loan document. John was trying to call government people he knew from the cops in NY to get involved because of Ken. John complained that everyone was afraid of helping because of Louis Freeh.

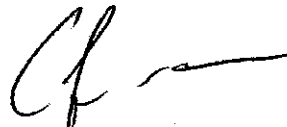
I lived with several of John's brothers in Arizona at Pks home. They complained behind Johns back that John had taken a lot of money from their mom and their handicap brother and not repaying them. They were mad that John kept all the money from their California project and never paid his family the money just as the same as the Hawaii money. They said he kept it and bought a fancy car. They said he built another huge expansion on his Long Island mansion. I know that John was desperate. His brothers talked about their family getting ready to sue John for the ton of money he took and would not give back. I heard there were some cops and doctors in Long Island ready to sue John for other money he took. They knew Pk paid him from both deals and was trying to roll it over for more profits.

I witnessed a lot of terrible things that happened related because of Ken and the Mexico projects. I do not know any person who did so much in my whole life to help me and my friends and his friends like pk. I met lots of these people in Hawaii and Cabo and Arizona and Las Vegas. I know that Pk is someone who will never stop fighting. He will never let people steal from his friends. I hope you have seen all the good stuff in Pk and not just the lies about him from the NY Daily News friends of Kens. I know the guys like John and Bryan knew everything about Ken and how he screwed us when I was with them in 2003 to 2009 a long long time.

I offered to testify for Pk at trial. Pk said no. He would not let me get harassed by the FBI who was working so hard to protect Kens people. I experienced it myself for years. Pk is like that to protect people he cares about. Please be good to Pk. Pk does not and has never cheated anyone. I have been around his whole life since kids. I know he wants to get out so he can fight to get the money back like he fought every day for me and his friends.

Thanks for reading this sir.

Christopher Hawkins



Letter



Steven Locnikar

Thu 8/18/2016 11:12 AM

To: bkenner888@gmail.com <bkenner888@gmail.com>; Steven Locnikar <StevenJLocnikar@hotmail.com>;

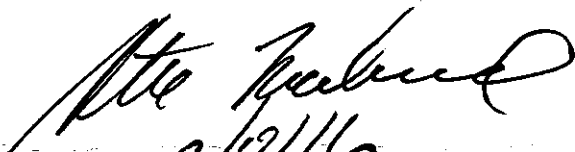
To whom it may concern,

This letter is in regard to Phil Kenner.

My name is Dr. Steven Locnikar. I live and practice medicine in Scottsdale Arizona. I am an Addiction Medicine Specialist and currently the Medical Director at Chandler Valley Hope, Pinnacle Recovery Center and Medical X Inc. I am a well respected member of the medical community and assist people recover from drug addiction and alcohol dependence every day. I have directly and indirectly helped hundreds if not thousands of people recover from substance abuse and addiction. Many of these people have returned to their jobs and families and have become productive members of society.

Ironically, I was in a similar situation about ten years ago and lost my medical license and ability to practice medicine and surgery. I found myself in a very difficult situation and essentially at the crossroads of my life. As fate would have it, I was fortunate to meet Phil Kenner at that time. He was well aware of my circumstances and out of kindness offered me a job on his construction crew despite my lack of skills. This random act of kindness set into motion the chain of events that have helped save so many people. Phil Kenner helped me at a time in my life that was critical. He was generous, kind and always honest. It is my opinion that he is a good man and is in need of a helping hand at this point in his life. I believe that given this opportunity he will once again return to his family and become a productive member of society. I will be waiting to offer him my help in any way once he returns.

Respectfully, Steven LocnikarDO


9/8/16

TRULINCS 41950054 - ARONSON, ERIC - Unit: BRO-I-B

FROM: 41950054

TO:

SUBJECT: Letter on Behalf of Phillip Kenner

DATE: 01/18/2017 07:52:37 AM

December 26th, 2016

Honorable Judge Joseph Bianco
Eastern District of New York
Eastern District Court House
Alfonse D'Amato Building
Central Islip, New York 11201

Dear Honorable Judge Bianco,

My name is Eric Aronson. I am currently incarcerated in the Metropolitan Detention Center in Brooklyn. I wanted to take a moment of Your Honors time to give the court information regarding someone that is going to be before you for sentencing soon and his name is Phillip Kenner. I have never written to someone else's Judge before and I understand that your time is limited and I will be brief.

I have been here in this facility for over 4 years. I was recently sentenced myself and I felt that it was important to share with Your Honor something that I feel should be taken into consideration when sentencing takes place for Mr. Kenner. I have had serious bouts with depression. I have had times where I could not see any light at the end of the tunnel for myself. One day, not knowing Mr. Kenner, he came over to me and asked if everything was alright. I was at what I considered my rock bottom and for some reason, Phil took the time to take me to his cell, and spent over 3 hours with me explaining to me about himself and how he also felt at some point that life wasn't worth living. He pointed out his circumstances that made him feel this way. He told me about the losses he has suffered, his numerous things that made me realize one thing; That a man cries about his shoes until he sees the person next to him that have no feet!!! All of my problems were miniscule in comparison to what Phillip has had to deal with and made me realize where I am in life. I feel if it was not for his intervention, I do not know where I would be today. He has given me the opportunity to see the light at the end of the tunnel and realize that it is not a freight train heading my way. I can only say that this man has changed my life for the positive and has given me hope.

I could only ask Your Honor to please take into consideration leniency on Mr. Kenner since I have had the chance to meet a person who has inspired me to go on, and how he plans on spending the rest of his life being a good person. He has had a tremendous impact on my life in a positive way. The longer he stays incarcerated is the less time he has making an impact on others in the way he has on me; showing others hope and life can be great no matter how bad it may be at the moment. He is someone that I will always have respect for since I will now be here for my family cause of him.

Thank you for taking the time to consider my thoughts regarding Mr. Kenner during this most critical phase of the sentencing process.

Respectfully Submitted,

Eric J. Aronson

Dear Judge Bianco,

My name is Haley Kenner, and my dad is Phil Kenner. Two years and just over four months ago was the worst day of my life, one I will never forget for as long as I live. That is how long it has been since I have seen my dad. I will always remember the day my mom sat my little brother and I down on a Thursday afternoon after school and told us our father had been arrested earlier that morning. It absolutely broke my heart and took away a piece of me I will never get back.

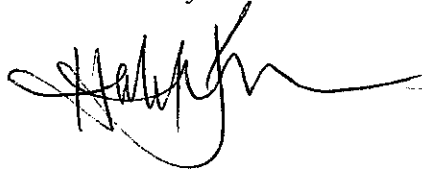
My dad is the most important person in my life, and there is no question in my voice when I say that. He is the reason I am who I am today; the reason I fight for what I believe is right; the reason I don't give up on the truth; the reason I don't do wrong even though it may be the easier path. My dad taught me my whole life to do good and be good and continues to inspire me every day to be an even better and stronger person than I was yesterday. He is the reason I believe everything will be okay some day. He is the reason I fight for what I believe is right every day no matter how hard it may be. Even having lost his freedom two years ago he continues to inspire me and be my whole world from 2500 miles away. The one night a week he calls, every Sunday, is the best part of my week. You wouldn't imagine the difference those short 15 minutes can make on my week. Just to hear his voice and know he's okay makes all the difference in the world. Every other night I go to bed worried something might happen and that last Sunday could be the last time I ever talk to him.

It takes a certain type of person to be able to endure the poor conditions he is forced to live in and still go about every day with honesty and integrity, even though if he had just given those up he could possibly be here with me right now. The only thing worse than how much I miss him is how much he misses me. Every time I reflect on how difficult it has been on my brother, my mom, his mom, and me, I just remember that it is ten times worse for him. Now, you may or may not have a family yourself, but if you do, I ask you to take the time right now for a short minute or two to imagine what, first, it would be like for your family if you were taken away for the next three years—how they would suffer financially, physically due to the absence, and emotionally—and imagine how you wouldn't be able to watch your kids grow up. You may have kids in elementary school or in college, and these three years could mean you miss their graduation, or maybe even the first time your daughter walks. I am a junior in high school, and other than through pictures, my dad has had to miss over 80% of my time in high school. He has missed me make principal's list, win my first state championship, go to my junior prom, and so much more. I am such a different person than I was in November of 2013, and it kills me to imagine how much has changed and how different our lives are today, especially because of everything that has happened. Second, I would like you to remember all the great memories you share with your own father and how much of your life depended or still depends on him. It is not fair for me and my little brother to have these most important moments in our lives stolen from us simply because our father is a good man and refused to work with corrupt people or admit he did something he didn't do and really would not and could not ever do because of who he is.

I will reiterate to you again and again that my father is my entire world, and I need him to actually be in my world. It is unacceptable the things that have happened to him and the daily hell we all have to endure because he was wrongfully taken from us. My father will continue to fight until the truth prevails, but I don't have his strength. I try my best, but two and a half years

is too much, and I can't do it any longer. Our mom has struggled for the last nearly 30 months to pay rent on our tiny house, put food on the table, give us a good education, and on top of all that try to give us a normal life, whatever "normal" can really be without a father. My brother and I have lost a father, his fiancée has lost the love of her life, my grandma has lost her youngest son, many have lost a friend, a colleague, the greatest hockey coach they've ever had, but most of all we have all lost an inspiration, and where that once was is a hole in all of our hearts. The impact he has had on everyone in his life and continues to have on me every day is more than he will ever know and I hope that somewhere in this letter you have gotten even a little glimpse of the man I am forever proud to call my father.

Best regards,
Haley Kenner

A handwritten signature in black ink, appearing to read 'Haley Kenner', with a long horizontal flourish extending to the right.

Dear Judge Bianco:

My name is James Fellman. I am originally from Long Island and grew up across the street from John Kaiser and his family. I live in Florida now. I have known John and the Kaiser family for over 40 years. I met Phil Kenner in Arizona in 2009. He had a new construction project with John Kaiser. John called and asked me to work on the project. I have been in the construction business since I was young. I heard from his family that John and Phil had done a big job in California before that and were doing another one. I learned about the California project from John also on the phone. I stayed at Phil's house when I was in Arizona working. Phil was always very nice to me and the other people who were living at his home. He paid for great BBQ dinners every night and paid everyone payroll each week we were at his home working on the project never missing a payday.

After my job in Arizona was done, I did not speak with Phil for quite a while. It was probably in 2012 before I called him to let him know some disturbing stuff I learned.

I explained to Phil that a few months earlier John had paid for me to fly out to Arizona. I thought I was going to work on something with Phil again. When I arrived in Arizona, I was told by John's brother Richey that we were there to steal about \$50,000 of construction tools from Phil's home and steal Phil's old corvette from his house. I immediately said I would have nothing to do with it and left on my own. I know John's brother Richey and another friend of his stole the tools from Phil but were not able to get the old car out of Phil's garage without Phil or his girlfriend noticing it during the trip.

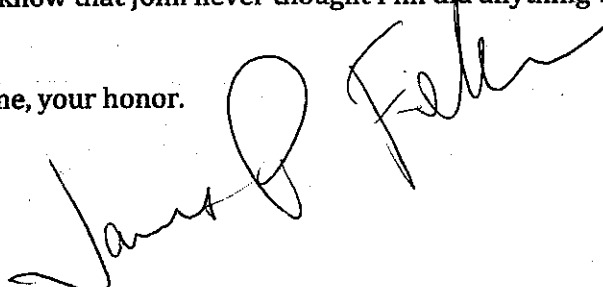
When I returned home I learned from his other family members that John owed his Mom and a lot of other people in NY lots of money in millions. He was trying to blame it on Phil so the people would not sue him. I guess his brother Richey knew the truth but was trying to help John.

I ended up calling Phil to let him know all this after John called me to say that he was going to work in Mexico. I asked him how he could do that because the guy he was going to work for was the person who stole the money that he complained about every night I was in Arizona with them. John told me it was the only way he could protect himself against the people who wanted to sue him. John offered me a new job to work construction for him in México and said that he was going to have Phil arrested by the FBI that was friends with the guy in México. He begged me to come work for him. I did not because this was getting too crazy and we all knew Phil did nothing wrong. I heard that from John's own mouth. That is exactly what I heard from John for years until he went to México to work.

I do not know Phil that well but I do know that everything I heard from John Kaiser for years was that Phil was fighting so hard for John and his other investors and the guy in México stole everyone's money. John was frustrated that they could not get the money back because some very powerful FBI people protected him. I do not understand all of the reasons for it but I know that John never thought Phil did anything wrong for all of the years I was around him.

Thanks for your time, your honor.

James Fellman

A handwritten signature in black ink, appearing to read 'James Fellman', is written over the typed name at the bottom of the letter.

Judge Bianco:

My name is Jozef Stumpel. I am from Slovakia in Europe. I have known Phil Kenner since 1994 when I signed in the NHL in Boston. Phil became my financial person right after I met him the first time.

I have played in many cities during my NHL career and never had a problem communicating with Phil ever since I first met him. I played in Boston, Los Angeles, and Miami while in the USA. I have also played in Kazakhstan, Germany, and Slovakia. Whenever I needed to meet with Phil, he would travel to see me after each request. I met with Phil in Slovakia at my home one summer when I needed to see him about business important to my family. He came right over to see me when I asked. In 2008, when we had some big troubles started by Ken Jowdy, Phil traveled to Northern Russia, a town called Nithzny Novgorod, to visit me with two other NHL players, Jason Woolley and Dimitri Khristich, so we could make our plans to continue fighting Jowdy together because he stole from all of us. I know it was not easy for Phil and the other two guys to get there from the USA to see me face to face. It meant a lot to me. Phil even travelled to Vancouver during the 2010 Olympics when we were all suing Jowdy to discuss the frauds Jowdy was doing with the different lawsuits and changing his stories to keep defrauding us about the money. Jowdy had paid people to have my own personal case against him in México thrown out several times according to my México attorney. Phil and my México attorneys kept fighting for me with new cases until Phil was arrested in 2013.

I have had a lot of teammates over the years that also worked with Phil. I recommended some of these teammates to work with him. No one ever complained about anything only good things were said.

I never heard a single complaint about Phil from anyone until Phil and I had to sue Ken Jowdy in 2008 for millions of dollars that we loaned or invested with him. Jowdy was ignoring us and not paying back the money we loaned to him. I have heard a few of wrong things about Phil from Bryan Berard, the FBI law people and other Jowdy people since we went after him in 2008. None of them have been true with me. While Phil was in jail before his trial, he kept sending me the information I needed to go after Jowdy in México without him. It was too bad that just before me and a few other people Jowdy stole from went to México to testify in front of the México City Supreme Court and other México City top law people, someone from the FBI arrested the person who was helping me and my friends with the new criminal lawsuit and our testimony. It all stopped again just like when the FBI arrested Phil in 2013. I do not understand why the FBI is working so

JS

hard to protect Jowdy from me and Phil and the other people he stole from. He testified about all of the money he stole. I read it myself and I know Phil sent the depositions to the FBI and so did my attorney in California.

I have been called few times by the FBI about Phil. Each time they left messages or told me stories about things I knew were not true. I know he works for Jowdy so I don't expect anything else from Berard. I have all of the paperwork I ever requested from Phil showing me that Jowdy directly received all the money I decided to invest or loan with him. It is what I always knew. The only thing I do not have is the money I invested or loaned to Jowdy just like Phil and several of my other former teammates and friends. Now they are trying to make us sign a deal with Jowdy to get some of my money back if you and the FBI law people do not take it from Phil. Jowdy robbed my money. I read Jowdy's testimony that he has my money and has no plans to give it back. I hope you have too. I have one million with Phil's company in the Cabo project after Jowdy did not pay me back. It was another lie by Jowdy but Phil protected my money. I am still waiting to receive something from Jowdy for that money to me, Phil and our other partner. Jowdy also stole 1.6million from me that was supposed to be paid back in 2006 from México when we got our big bank loan. Jowdy paid me only 50 thousand of interest but I never got anything after that.

I signed paperwork in México for my México attorney to sue Jowdy for the 1.6million he stole from me. I signed paperwork for the Arizona attorney to sue Jowdy for the Hawai'i loans. I signed paperwork for the California attorney to sue Jowdy for the loans and other money he stole from all of us. I know all of this but the FBI law people have not helped us. They only protect Jowdy from paying us the money. Why is this in America? Please have the FBI good law people or someone else talk to Phil about all of the information he has about what Jowdy stole. It will help my family and everyone who gave Jowdy money that was stolen.

I am an investor in the Hawai'i project that also loaned money to Jowdy. We all decided to do it as a group. I talked to Phil and a couple other friends about it when we agreed. I signed an affidavit in 2009 for Phil confirming everything I knew about my investments when he was in a lawsuit with Owen Nolan. I have sent it for you. I was tricked and lied to by the same attorney that did the lawsuit for Nolan against Phil. Now I know he was also working with Jowdy attorneys against Phil and all of us.

I know that me and all of the other Hawai'i investor people knew always that we sent money to Jowdy as loans. Everyone I ever talk to about it was mad at Jowdy for not

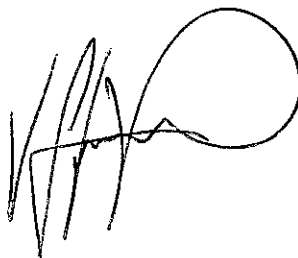
paying our money back when he was supposed to even though we had a contract with him for Hawai'i. I talked to other investors who Jowdy told he was thanking us for the loan money to get through the tough times before the big loan. We all expected the money to be paid back to us when we got the big bank loan just like my own money in 2006. It has been too long for this.

I also bought an airplane with Jowdy and some friends to help with our México investments. I found out after that Jowdy robbed all of the investment money that I sent to him in 2004. I have seen the bank accounts from Phil. Nobody has done anything about this even the FBI law people. He just robbed our money and no one cares about it. Phil told me he told the FBI law people about it when we were suing Jowdy in California.

Phil is the only person that has always helped me and my wife with the money and the fighting with Jowdy. I know that the FBI person who calls me does not like Phil and blames the money Jowdy stole on Phil. I do not understand how since Phil did not have any of our money and only Jowdy. Jowdy has over 3million dollars from me and does not care. I am not from America and do not understand the laws. What did Jowdy do to get protection like this? I just want what is right from all of the promises that Jowdy made to Phil, me and my friends who gave him money and not this bad deal that I got screwed.

Please let Phil go so he can continue to fight for me and my friends. Maybe you can have some law people help Phil fight for me...No one else is fighting for me and my money.

Thank you, Jozef Stumpel

A handwritten signature in black ink, appearing to be 'Jozef Stumpel', with a large circular flourish at the end.

May 2016

Dear Judge Bianco:

My name is Kathy Martin. I am the mother of Philip Kenner. I would appreciate a few minutes of your time for me to share some thoughts about my son. Phil has been a wonderful son from the first time that I experienced his personality and individualism. He has always been an independent person. He was working full-time from the time he was 13, by his own choice. When other kids his age were out playing, he was working 7 days a week at the local golf course, taking lawn mowing jobs in the summer and snow blowing and shoveling jobs in the winter, apart from school, to make money and pay for things he needed as a teenager. I have always been proud of his work ambition and desire to take care of others, actually in lieu of his better interests some of the time, unselfishly.

Some of the things Phil also accomplished as a teenager were extraordinary in hockey and baseball. He was great, if not one of the best, in the entire Buffalo NY area. During his high school days, he had great grades while becoming a star hockey player at two different high schools, and still holds some records almost 30 years later. He was heavily recruited to colleges for hockey. He turned down an appointment to the United States Air Force Academy in Colorado Springs CO as well as scholarships to Brown University and Dartmouth University for scholastics and hockey. He chose to go to one of the top schools in the USA, Rensselaer Polytechnic Institute, R.P.I., in Troy NY and paid for all of the extra schooling expenses himself. He graduated at the top of his class in only 3 years (instead of the 4 ½ his curriculum planned for).

After school, I was very proud of him when he turned down a professional hockey career starting in Europe to begin working for Anderson Consulting in Tampa FL. He was actually close to me, living in Orlando, and I was able to see him more often as a result.

Through his adult life, I always think how proud I have remained of his unselfishness for friends, family and clients. He has faced some unbelievable obstacles in his working career, while building the largest Sports and Entertainment management business in the world by the time he was 33. I could not have been more proud.

Below are some of the memories that truly stand out for me.

When he was 12 years old, his travel hockey team won the US Nationals. Most of the team had been together for about 4 years and not only the players, but parents as well worked together as a team. They were not the biggest and strongest but worked as a team and everyone was extremely proud to be a member. Many young hockey players want to be the "hot shot" and score all the goals but this team realized that assisting to obtain those goals was just as important.

After he turned 16, he spent \$200 for his first car and also took on the responsibility to pay the \$400 for the first six months insurance. Several days after he brought the car

Judge Bianco

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home, I looked out the kitchen window and saw Phil in the driveway washing and waxing his "new" faded and rusted vehicle! He was always proud of what he had and took good care of his things.

Around Christmas in 1988 when Phil was at R.P.I., he was ranked #1 in his entire academic class after 2 years of school while playing Division I college hockey on a scholarship. He called home before Christmas break to tell me he caught his hockey coach stealing money from the school, his team mates and the hockey program. He said that he was going to the administration to report it even though he knew he would be thrown off the team and lose his scholarship. That is exactly what happened. I could not have been more proud of him.

In 2002, Phil had become one of the top business managers in the world according to Money Magazine. He worked for a giant, publicly traded company out of California. He called me, after his father had died at age 51, to inform me that he was going to file a lawsuit in California against his firm, Assante, for stealing money from his clients and others managers in his firm. No one else at the firm would stand up to protect his clients, but he did. He endured one year of stressful litigation spending over \$1 million in legal fees, versus a billion dollar, public firm who tried to destroy him and his career through a series of unscrupulous legal maneuvers. Ultimately, after walking away from over \$3 million in bonuses due to him and fighting, again, for what was right, he prevailed and protected his clients.

I am proud of my son who chose to loan millions of dollars of his own money, due to his amazing work ethic and subsequent business successes, when he was financially capable of doing so. Some of these people he helped substantially are people who testified against him in his trial last year. One of these people also caused me personal financial loss because of his unethical business dealings.

The millions Phil spent on litigation in Mexico and the USA to go after the people who stole from him and his clients were a financial burden he did not need to take on everyone's behalf, but he did. That is the kind of selfless person he is and I am proud of him for that. I am sure some people see selflessness as a fault of personality. I am proud of who he is and his moral compass, even in the face of the issues he went thru to protect his clients and investors. He was thrown in a Mexican prison to deter him from pursuing proper justice in that country. These are characteristics that you hope for when you raise a child. Phil has them. I will forever love him as a mother, but I believe it may be a rarity to also admire someone so close to you as a parent.

Phil has spent his life echoing the values that I, as a parent, instilled in him since he was young. I know that he chose to fight, again, in 2007 against his partner in Mexico who had stolen millions from him personally and his clients. It is in his nature to fight and protect the people around him at any cost.

Judge Bianco

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If this fight is the toughest of his life, I know in my heart, that he will always be on the side of good. For this, I will always be a proud mother.

Please have mercy on my son. There is so much more to the story of Phil's life and what he has done, including spending the majority of his time the last few years before he was arrested raising money for brain cancer research as his main day-to-day volunteer work. The world is a better place with him in it and free that it is with him where he has been for the last two and a half years.

Thank you Judge for taking the time to read my letter.

Sincerely,

A handwritten signature in black ink that reads "Kathy Martin". The script is cursive and fluid, with the first name "Kathy" and last name "Martin" clearly distinguishable.

Kathy Martin
4650 Saddle Creek Place
Orlando, FL 32829
407-658-9216

Re: Phil Kenner Matter

To: Honorable Magistrate presiding over this matter

Let me start your Honor by introducing myself. My name is Kim Garrett. I'm a retired Sheriff's sergeant with twenty plus years in Law Enforcement and security.

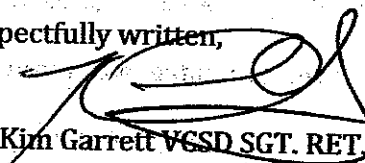
I was introduced to and met Phil Kenner approximately eight years ago, during a charity event held at his home. Phil and I became fast friends since we had the same ideas and goals on how to help those suffering from brain and lung cancer, since I had a LEO partner who was and still is a brain cancer survivor with 14 years under his belt.

Phil and I, along with a host of other individuals in Law Enforcement as well as the entertainment industry were on a path to help a lot of people suffering from brain and lung cancer through charity events we had planned in both CA and AZ. I'm looking forward to resuming this great partnership that has gone stale the past four years while Phil addressed this situation, we have lost lots of momentum, money and even some instrumental people to cancer during the past four years. All of which, would have helped a number of those surviving and suffering from these terrible killers. Millions of dollars and thousands of survivor mentors have been lost. However, once Phil is released and is able to rejoin the team with me I'm sure we can make up for lost time knowing his character.

In the time I have known Phil, he has been nothing but professional with me and my family and, I'm a very skeptical and private individual. So in order to get into my inner circle you have to prove yourself as a caring and above board individual and Phil was able to do that in a very brief period of time. Even so much so that when he started noticing some issues with some of his previous business partners, he asked me to contact some of my LEO and legal contacts to look into some of the issues from here in CA. I also accompanied Phil to the AZ Attorney Generals office to report the crimes he suspected with his co-defendant in the current matter for two separate business problems. My contacts allowed us to get to the right people without many hurdles.

In closing, I would just like to state that Phil Kenner is someone I would not hesitate to partner with on any charity or business project and I am looking forward to working with him again in the very near future. As a member of Law Enforcement I can and have seen how things get interpreted or mis interpreted by individuals who have their own agendas for what ever reason. And I believe this to be the case in Phil Kenner's matter.

Respectfully written,


Mr. Kim Garrett VCSD SGT. RET.

Dear Your Honor,

This is probably the hardest thing that I have ever had to do. The love of my life, my soul mate, and the man who has protected me and his children for as long as I have known him, was wrongfully taken away. I apologize for how long this letter is, but you have one of the most amazing humans in front of you. His selfless character is 100% what any parent, lover, family or friend would beg to have in their life for one day. So many have lost that, including me, in our lives every day.

I have not spent one day since November 13, 2013 without reliving the trauma over and over. I hope that I am still alive by the time you read this, so I can see Phil as a free man again and the hero he really is to so many. No one and I mean no one would have fought for his clients like he did for years considering what was done for him and still is.

After Phil left that morning to go to yoga and the gym like usual, I received a call from the FBI. They said they were coming into my home in 3 minutes whether I let them in or not. I ran down the stairs with my dog following me, and when I turned to go to the door, I was told to freeze; they were already in my kitchen. A large man yanked my hands behind my back and slammed me on the counter, pointing guns at my dog and me. I was then handcuffed and moved outside where I was interrogated nonstop for 3 hours, agent Galioto repeatedly asking me questions I did not know the answers to. I had to sit on the bench outside for hours while they destroyed my house, constantly asking me where the safe room was, which does not exist. A different agent apologized to me several times and said they did not know why Galioto hurt me like that when it was not necessary. I have not been able to sleep through the night for 4 years and still frequently wake up sweating with nightmares. I was forced to sleep in a closet for almost 3 years out of fear. Galioto yelled aggressively throughout the day at me to tell him where all of the guns and cash were hidden in the house. Every time I told him that there were none, he yelled at me more, telling me that I was going to have problems with him for not cooperating and protecting a criminal who was going to jail for the rest of his life when he was done with Phil. He told me that Phil was too stupid to take his protection and

offers when they were available, but now it was too late and Phil would pay for it. At the time, I had no idea what he was talking about. I had about \$25,000 in cash that I kept from renting my home while I was with Phil, and told Galioto where I hid it in the house. Galioto took it and never returned it to me after that day like he said he would. That was my emergency money, which I certainly need now to pay for my entire medical expenses. Even though we never had guns in our home, Galioto told me that John Kaiser told him there was an arsenal of guns in the home and safes full of cash. I told him that was not true. I told Galioto that Kaiser and Berard had stolen two properties from Phil and some other investors worth millions and other construction tools with Kaiser's brother's help. He laughed at me. He said that it was Phil's fault they stole it from him. Galioto kept telling me "wrong team". Phil chose what side to be on. I told him that I caught Berard at my security gates screaming at the house when Phil was not in town that he was going to kill Phil. He laughed at me again and said that is what Phil deserves. Galioto kept telling me that "Phil should have learned how to play the game". I am not sure what that is supposed to mean. None of that day's events made sense.

Prior to that day, I lived with Phil for years and helped raise his children. They are both without an amazing father who gave everything to them and never missed a single moment of their lives. All children deserve a father who has their priorities straight like Phil. Other kids wish they only got half as much from their dads. During those years, I spent almost 24 hours a day with Phil while he worked on 3 things that consumed our lives other than the kids. He was raising millions of dollars for brain cancer research, coaching three youth hockey teams and working to recover all of the money that Jowdy, Constantine, Kaiser and Berard stole from him and his clients.

With the fundraising, in addition to the millions I already helped him raise worldwide, just prior to his arrest, he signed a deal with Major League Baseball that would guarantee raising over 1 million dollars per month through their joint efforts. That was more money than the top 3 brain cancer charities in the USA raise combined. The 2 main brain cancer research facilities in Phoenix, AZ where we did so many visits to the kids suffering from terminal brain cancer, and the facility in San Francisco, CA would have

received more funding in 2014 alone than ever before in the history of brain cancer research funding. Not even the USA government funds more for the research. All of that stopped the day that Galioto arrested Phil. It disgusts me every time I think about the tens of thousands of children who have died since that day who could have received the benefits of Phil's amazing and relentless efforts. That is over \$40 million gone since he was arrested.

With the coaching, Phil's reputation amongst the kids he coached and their parents was priceless. He was everyone's favorite "Coach PK". Phil used to also coach free lessons for kids a few days a week from 5 in the morning until 7 before school. He used to pay for the ice time for the kids whose parents could not afford the extra expenses. I cannot tell you how many of the kids told me they wished Coach PK could be their dad. It used to bring happy tears to my eyes every time. I have not had one day of happy tears since he was taken from the people who need him. I have only had the other kind. The same compliments came from basically every parent. When we were in AZ, Phil hosted "Camp Kenner" for all of the kids to come to his house, train off-ice for a day of fun, and sleep over about once per month. According to the parents, each time was the best memory of the year for their kids. Even though dozens of kids sleeping over was overwhelming to me, the kids always acted like angels and followed every word from Phil. Since his arrest, dozens of kids and parents have asked when "Coach PK" is coming back to coach again. Before I left AZ, it made me sad every time to realize how much the kids who love "Coach PK" have lost.

Lastly, and certainly what defines Phil as a one-of-a-kind person, is his relentless pursuit of justice for his friends, clients, and especially former clients, who were misinformed and threatened by Galioto, Jowdy's attorneys, Kaiser and Berard for years. I personally begged Phil to let them fight for themselves, especially after being scared for my own life in 2012 in Mexico with Phil. I experienced the threatening world Phil has lived in for taking a stand against Galioto and Jowdy first hand to fight for his clients. We were in Mexico for Phil to meet with his attorneys and testify in the criminal cases for him, his Mexico investors, the Hawaii companies who loaned Jowdy millions and millions, his

friends Jozef Stumpel and Mattias Norstrom, and others who were not repaid by Jowdy, either. We also met with the former Mayor of Cabo who Jowdy tried to put in a Mexico jail to threaten him to give up his ownership in the Cabo airport, which Jowdy also stole from Phil and Jozef. Jowdy's people wanted to put the former Mayor in jail and threaten or beat him like they did to Phil for over 3 days in 2010. I saw the 2010 arrest document for Phil and Gun Trafficking charges filed by Galioto and Jowdy's attorneys in Mexico and the one for the former Mayor during the meeting. I do not know how Phil survived that or cared to help anyone after that incident. After our secret meetings in Cabo, we went to Phil's house, which he had not seen in two years since a different attempt to capture Phil when they beat his housekeeper badly. Phil thought that Jowdy's people would have paid surveillance on his house in case he tried to return. Phil was right. We went to the security gate for Phil's compound, checked in and proceeded thru the gate towards the house. We did not go to the house. We passed right by it. Instead, we drove to a point on a neighboring mountain in the subdivision and watched the house. Less than 30 minutes passed when 3 big trucks entered the main gate of the subdivision and drove to Phil's house. About 8-9 guys got out of the trucks in front of Phil's house and proceeded to jump the security wall of the house and climb up the 4 flights of stairs to the main living level where we could easily see them. We watched them for about 15 minutes go all through the house, in and out of the different levels and rooms, and finally leave. We immediately left the subdivision through the back exit in Phil's truck. While leaving town, the local police spotted Phil's truck and pulled us over. I was driving the truck and Phil climbed into the back seat and under the Mexican blankets in the truck and hid. The police approached the truck and demanded that I tell them where Phil was. They told me that they knew Phil was in Cabo. They threatened me saying I should pray that I am not with Phil "when they capture him". They said, "You will get what Phil is going to get". They let me go about 10 minutes later. I was shaking terribly. It was near impossible to drive while crying so hard. They followed me to the attorney's office. We were both scared to death. They finally left me in the attorney's parking lot and Phil was able to go into the office. After the last meetings with the attorney to testify that day, we took off and drove about 30 hours out of the country through the mountains. I was never as scared as that trip in my whole life. I begged Phil again to stop fighting

these people for his friends and investors. He told me that if he did not fight for them, Jowdy and Galioto would never let anyone recover the tens of millions that Phil proved to his clients that Jowdy stole with all of the Jowdy company bank records. Phil said that Jowdy would continue to steal from the projects until they had no assets left. I guess Phil is still right about that. The fact that Phil continued to fight for the same people who had long-since lost their appreciation is one of the things I love about him. They tried to kill Phil 2 times in Mexico and hurt him badly in the Mexican jail beating him in solitary confinement for days without food or water. Then they murdered Phil's attorney who saved him from the jail. Who else would keep fighting for justice under these circumstances? No one else I know, not even the people who Jowdy has stolen from. Phil's last trip to Mexico to testify to the Supreme Court Justices in Baja California South was in the fall 2013, just before Galioto arrested him. Phil travelled with paid federal officers from Mexico for his safety. This was not the only time I remember Phil paying for hired protection in the US and Mexico from these people. When Phil returned to San Diego after I had several sleepless nights, I met with him and his new Mexican attorneys. The new Mexican attorneys told me that Jowdy corruption and payoffs for protection in Mexico was finally over. The Supreme Court Justices they met with would not allow another payoff or bribe for Jowdy or his FBI people because it would be their ruling in December 2013. Phil was required to testify in their presence. That would be Phil's next trip to Mexico, and as promised by the attorneys and the Supreme Court Justices, the nightmare for Phil and his clients would finally be over. The Mexico attorneys told me that they already had a significant investment fund in Mexico that would be buying a major interest in the project and take over the daily management. Every one of the defrauded Jowdy investors would be fully repaid and make significant money immediately. Phil called a few of the investors after the meeting while we drove back to Phoenix to relay the amazing news. Instead they had Phil arrested by Galioto after an indictment that came only a few weeks after the Mexican meetings. We knew they were tapping Phil's phone but figured the great news could not be undone. They did it by arresting Phil after 6 years of threatening to do so. The timing was not believable. The attorneys and the investors I know were shocked at this new turn of events. Everyone deserved to receive the funds from the Mexican sale after 10 years, arranged by Phil and

Phil's new Mexican attorneys, so the investors could go on with their lives and put this nightmare with Jowdy to rest. In December 2013, Phil's attorneys went without him to carry out the court orders without Phil's testimony making the charges severely diminished. Phil was the main witness. Phil's attorneys told me they were met by a militia of 50 heavily armed men and a former FBI agent who told them they would never win. Because the FBI was protecting them. Phil's attorneys were arrested in Mexico shortly after that day.

I have spoken to many of Phil's friends and attorneys since Phil's arrest who told me they were constantly being threatened by Galioto and Jowdy's attorneys Tom Harvey in NY and Fernando Garcia in Mexico. They were instructed to stop communicating with Phil and me or they would be brought into the case with Phil. I had lunch with Tyson Nash one day in Phoenix. Tyson told me that he constantly received calls from Galioto threatening him to drop his litigation versus Berard and Kaiser in Arizona that Phil helped them file just before he was arrested. Galioto told Tyson to sue Phil instead. Nash told me that Galioto was also threatening Sydor, Ranford, Lehtinen and Khristich in the same lawsuit against Berard and Kaiser for stealing about \$750,000 from them. They were being told that Galioto would have them thrown out of the USA if they went through with their civil case in AZ. I guess that only Jere Lehtinen got scared and dropped the case, losing about \$150,000 to Berard and Kaiser's thefts. Tyson spoke to Phil on my phone that day and told Phil about all of that while I was sitting there. That is when Phil and I learned that Jowdy's people had Phil's Mexican attorneys arrested through another bribe. Around the same time, I spoke with another person in Mexico named Bobby Gaudet. Jowdy and Kaiser also robbed Bobby, separately. Bobby tried to file lawsuits against Jowdy in Mexico. His witnesses were threatened in Mexico and forced to drop the cases. Bobby lost several million due to Jowdy personally. Bobby told me that Berard physically attacked him in Mexico and threatened to kill him if he continued to sue Jowdy. Phil told me that he read that same thing later in some FBI materials. Bobby told Galioto about the death threat and physical attacks by Berard and the witness tampering and threats by Jowdy's people. Bobby told me that Galioto laughed at him. Bobby told me that Jowdy's attorneys had Kaiser and Berard lying in

the Mexican courts about their own witness testimony they had signed in front of the court and Bobby's attorneys to support Stumpel, Norstrom, Phil's and Bobby's criminal cases versus Jowdy. Now they were calling them forgeries after they received jobs from Jowdy. I was disgusted to hear all of it and told Bobby.

There were a few of Phil's investor friends that I spoke to in 2015 who were trying to file a new criminal case versus Jowdy in México for the millions he stole from them personally. Galioto and another FBI person arrested the man who was helping Phil's friends. The investors told me that Galioto said they would also be arrested for obstruction of justice charges if they tried to sue Jowdy again in Mexico or testify for Phil in your courtroom. Each of those people stopped returning my calls after they received the threats before Phil's trial. Galioto's threats saved Jowdy another federal lawsuit in Mexico City.

Your Honor, I cannot tell you anymore how wonderful Phil is because it makes me cry too much. The only thing left to tell you is about me since Phil's arrest. I have not been able to live without constant nightmares from the arrest day abuse. My stress and anxiety caused me to cope with alcohol to suppress my fears and pains. Phil always protected me from those demons. I have lost weight and bottomed at 80 pounds at one point in 2016. When I was living in AZ, people were constantly following me by car and on foot. I could not even go to the grocery store to buy Ramen noodles without someone doing surveillance on me. I have since lost my home and become homeless over an 8 month period of time when I was physically at my sickest and unable to care for anything. I was forced to find food stamps to survive. I was admitted to the hospital 3 times after collapsing and being nonresponsive. The last time in 2016, I was diagnosed with a failed liver and pneumonia. The doctors gave me a small chance to live and after an emergency blood transfusion. They told me I need a liver transplant to live. I have had my last rites performed on two separate occasions since this began, both at the doctor's summoning. I was only barely conscious during each. I know that Phil was sick to death when he could not find me for weeks at a time. I did not have the energy to

call him. I could not bare to tell Phil until weeks or months later each time. There is nothing he can do to help, which I know hurts a person like Phil when rendered helpless.

I have received full blood transfusions more times since 2015 than I can count. I feel like a human pincushion from all of the IVs they put in me to keep me alive. This is no way to live. My last biopsy results showed a pre-cancerous cluster the size of a quarter on the right nodules behind my liver. The doctors have told me that it is not operable because of where it is located. I would most likely bleed to death trying to treat it during surgery. I cannot believe all of the sad irony of all the money Phil raised for cancer research, and how I might end up fighting for my life without Phil's help at 35 years young. I have been in and out of the hospital several times because my pancreas failed and they had to do another spinal tap. I cannot describe how much pain they cause. It saddens me to think about the total loss to me, Phil's kids and the other people Phil protected, even when they fought against us.

At the height of my medical collapse in 2016, I received a summons to court or get arrested by the US Marshalls. I could not even walk after a month in intensive care in the hospital, but I was forced to appear or go to jail. When I arrived, a very aggressive prosecutor told me that I needed to be booked and would face up to 6 years in jail for my charges. I told him that I was not aware of any charges. He said it related to the noise incident at my house a year earlier. I told the prosecutor that the charge was dismissed by the judge a year earlier and was actually against someone else who rented my home the prior year. I actually called the police to report the loud behavior. The prosecutor laughed at me and said that this case was going to be fun for him. It would be my turn to really pay. I told him I nearly died this month and need severe medical attention 24/7. I had to walk with a walker. He told me that I had messed with the wrong people and would pay for it. I nearly collapsed on the spot. The realized the noise complaint was being re-opened a year after it was dismissed against someone else, it was changed to me, and 2 new charges for criminal nuisance-premises for unlawful conduct (a class 3 misdemeanor) and disorderly conduct-disruptive behavior or fighting (a class 1 misdemeanor) were being added to me. There were no fights. The prosecutor told me I

should be prepared to spend some serious jail time after I was booked and photographed and finger printed. After months of appearances travelling to and from the in-patient clinic, the new judge dismissed the charges and fined me a few hundred dollars for the noise complaint. The stress almost killed me again. The prosecutor told me afterwards that I better think twice about whom I am dealing with, because this would not be the end of it. I know who really did this to hurt Phil and me. I have since moved away from AZ to two different friends homes to have a place to live until Phil comes back to protect me and care for me. I am feverishly working to get accepted onto a liver transplant list. I do not know if I will make it before I die. Every day is a horrible challenge. I try to put on a good face, and enjoy each day under this duress. It is taking its toll on me.

Please consider all of the amazing qualities Phil has and that the world is a far better place with his heart and soul contributing to it out here with us. I am sure that you have found out that he is a relentless fighter. He is amazing. He does not put up with injustices. He just never quits. That is an unique quality I hope he never loses even after this experience. No one who has done so much selflessly for others should suffer as he has, forever ruining his reputation just because he refused to heed to the endless threats by Galioto and the Jowdy people since turning down their huge bribes since 2007 to stay safe and quiet. Even today I know Phil would not go back and change his mind. I love him for that.

Please have mercy on him for who he really is! Even in the days when Phil was under the most duress from the Jowdy attorneys trying to arrest him from fraudulent court filings that Phil had dismissed and Berard threatening to have Phil killed, Phil gave everything he could physically to the kids at hockey, me, our charity efforts and his children. As Jowdy, Berard, Kaiser and the FBI agent spread horrible rumors through the newspapers and directly to Phil's investors, whom he fought for, Phil only got stronger and fought harder for them. I cannot fathom even today how he managed to do it. Anyone less than a saint would have caved in years earlier to their calculated and evil ways. Phil is needed out here by more than just me and his children. He has been away from us for too long. The world is less of a place without him in it. Actually today I

know that Jowdy has continued to rob all of the same people Phil began protecting and fighting for over a decade ago, just like when Phil began to fight against Jowdy when the FBI people and Jowdy tried to bribe Phil to stay quiet or suffer.

Your Honor, I hope that I am alive after all of this to thank you in person one day for seeing the real truths behind all of this. I know one day in the future you will read about Phil and what he has done for the world to make it a better place. I know it will make you smile and realize what a beautiful and one-of-a kind person he really is. There are not many ever or anywhere like him.

God bless you.

Marlene Grissom

A handwritten signature in black ink, appearing to read 'Marlene Grissom', with a long, sweeping horizontal stroke at the end.

May 2018

To whom it may concern:

My name is Robert Madia. I am an attorney who previously worked for Phil Kenner on the Cabo san Lucas and Hawaii investment deals with the Lehman Brothers partners, Bill Najam, and Ken Jowdy. I was involved with the investors that participated through Phil Kenner.

There were a lot of moving parts with the two closings. They were very intertwined with all of the loans and similar partner groups. The Cabo closing occurred in March 2006. There were a lot of monies due to the Hawaii investment partners from Ken Jowdy's loans at that time. I participated in several conference calls with Phil Kenner and his investors leading up to the March 2006 closing as one of the attorneys. There were two main topics outstanding on the conference calls. The first was the Jowdy loans that would be paid back to the investors from Hawaii when the Cabo deal closed. Lehman Brothers partners had produced a deal document in February 2006 that reconfirmed the first \$7,000,000 would be repaid to Phil's group. We also tried to get an answer of where and to whom the approximate \$16,000,000 in commissions was being paid. Ken Jowdy owed Phil and his investors far more than the \$7,000,000 at the time. We thought the commission might represent the balance of the outstanding loans. We received no appreciable answers. The second issue was the proper equity and capital account records. Najam and Jowdy told us that these items would have to be cleaned up after the Cabo closing based on direction from the Committee at Lehman Brothers partners who was approving the final loan details. None of this was changed to the proper numbers after the fact. The fix was always deferred. Our demands were ignored. Only Jowdy and Najam spoke directly to the Committee.

The multiple investor conference calls in January and February 2006 disclosed the original repayment plans at the Cabo closing per the terms of the Hawaii loan agreement. The March 2006 conference calls announced that there was a delay to repayment of the Hawaii loans when we had to collect signatures from the investors. Ken Jowdy and Bill Najam told us that the Lehman Brothers partners would facilitate a post-closing repayment plan. It was based on pending construction sales from Phase I of the Cabo development. Nobody was alarmed since those payments were pending in the following 6-9 months. The 15% interest on the Hawaii loan was accruing to the benefit of the Hawaii investment partners.

Regular conference calls continued through the August 2006 closing of the Hawaii investment Joint Venture with Lehman Brothers partners. The outstanding Jowdy loans were discussed with all of the investors and the main two partners, John Kaiser and Chris Manfredi. Both of them made heavy demands on repayment terms to facilitate their Joint Venture sign offs. The deal was very strained through the five month closing period. Not one part of it was easy. I believed that the deal would fall through due to the onerous terms presented by Lehman Brothers partners for the second time right until the final week. They forced Phil to make large personal concessions if he wanted the deal to close. Phil agreed to leave 100% of his capital in the deal, sign over his Hawaii home for no profit, his vehicles had to remain, and he had to personally guarantee the deal's Environmental Indemnity Agreement. This last was an enormous personal risk I counseled Phil not to take. He did it against my legal advice. Phil wanted to get the deal closed. He wanted his investors to recover at least the \$7,000,000 he negotiated with Lehman Brothers partners, even at his personal risk. The group as a whole knew Phil did this in part because Jowdy had reneged on the loan repayment to date and was not communicating openly with the group.

I did not do very much work with Phil after the Hawaii closing. It took a physical and mental toll on Phil. I have known Phil for a long time. He is as tough as they come. This almost did him in, but he got the deal done for his investors at his risk.

I have witnessed over the last decade the investors who were on the conference calls change their position and fight against the recovery of the loans they made to Ken Jowdy. In my opinion, I do not comprehend how any of them could not be aware of what they agreed to. Something is very wrong about that. Phil was a terrific communicator of all the critical deal points that I was involved in. None of the investors could have been under informed.

I know that Phil has worked harder in the last 10 years to recover the money that his investors were defrauded than in the prior ten years when he constructed those long-term deals for his investors. Several bad people got in the way, tried to bribe Phil, but he would have none of it. I admire that. Tough times can fall on good people. They have on Phil because he stood up for his friends and investors. He should not be punished for that in my mind. I am sorry that all of this has happened to Phil and to his investors. I know that nothing happened without everyone's knowledge. It could not have.

Please consider the effort Phil has put into recovery and disclosure from the day he discovered the problems with Ken Jowdy in late 2006. He told everyone. I was there. I think it has been over a decade of abuses laid on Phil since then by powerful people who had a lot to gain with Jowdy free and not criminally pursued as Phil did against him in the States and in Mexico, at his near life-ending risk.

Thank you for considering my thoughts when Phil is sentenced. I believe that he has been punished enough for fighting to save his investors and friends from deals gone badly with Ken Jowdy. I do not know anyone who would have done what Phil has.

Yours truly,

A handwritten signature in blue ink that reads "M. Robert Madia". The signature is written in a cursive, flowing style.

Michael R. Madia, Esq.

Dear Phil Kenner's judge:

I am a friend of Phil Kenner's for my whole life. We grew up in Buffalo. We have been through a lot together. We lost our best friend when we were young in a car accident. I do not think PK or I ever recovered from this.

There are a lot of things that I know about PK. The one thing I know for sure is that he would never cheat anyone. He is exactly the opposite. He is the type of person that if you left him with a million dollars in cash he would have it when you got back no matter how long or ever until you returned. There is no way he would ever steal or defraud people. He does not have it in him. But I will tell you that he does have fight in him like no one I ever saw before.

PK used to spend a lot of time with me before he was arrested. Whenever I needed any kind of help he was there for me. He helped me save my business when I was in big trouble once. Being your own boss is good and bad. When things are bad because business is slow it can be really bad. PK sent me a lot of money to make sure I never missed a beat. I didn't thanks to him. I heard from many of our friends that he did the same for them since we were kids.

I met a bunch of PK's clients over the years. We met them when they used to train in Vail, Colorado in the pre-season. They all loved him. They all said the best things about him when I was around. They always acted like I do as part of his family.

I cannot wait for him to get out of that situation and forget about the people who did this to him and back to the people who love him and really know him like me. I will be waiting to do anything I can to help him get started again without the other people in his life. I know that fighting with them and everyone hearing wrong FBI claims about him and his character in the New York papers wore PK out. Near the end in 2013 when he said things were finally going to be good again because the Mexico courts were arresting the FBI people and other people who robbed him and his friends he looked relieved. He deserved it especially after getting beaten in a Mexican jail for fighting against the real thieves. He is lucky he did not die. I can't imagine if he did for just fighting for what's right like I told you. I was so happy for him then because I know he would feel the same way for me. He always did. They had to stop him like they did. It was the only way and it wasn't right. You cannot take the Great Spirit and soul away from him. He is one of a kind. I hope he gets back to helping kids soon. He is awesome at hockey since we were kids and better at teaching little kids about the greatest sport in the world. Everyone where we grew up knew him from hockey but he was never a jerk to anyone. Other people who received the notoriety he did turned into bad people towards others. PK seemed to become a better friend and person from it. I hope he writes a book about all of this one day. People will be amazed at the kind of person he really is and how he fights. Maybe hockey taught him that. I asked him to several times and said I would help but he is still too humble to do it.

I am proud to be called one of his friends. Anyone would be. One of our childhood friends worked in Hawai'i and Mexico with PK and the people who stole from him and lied about it. I have heard all of the real stories from him also. I am disgusted about it all.

I ask if you can think about all of the things PK did for me, other friends of ours, kids, and people he hardly knew raising tons of money for brain cancer research, when you think about

sentencing him. He belongs here with me, his fiance, his kids who have been away from him for over 4 years, and our community. We need and want him back where he should be.

PK's friend always, Tim Dundon

A handwritten signature in black ink, appearing to read "Tim Dundon". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.